

Progress Report 9/12/12-11/28/12

Project #09-1277, Qwuloolt Estuary Restoration - Construction

Submitted by Kurt Nelson on 11/28/2012

Accepted by Elizabeth Butler on 12/03/2012

CONTACTS

Primary Sponsor: Tulalip Tribe

Lead Entity: Snohomish County LE

Managing Agency: Rec. and Conserv. Office

Project Contact: Kurt Nelson
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Alt Project Contact: Josh Meidav
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RCO Grant Manager: Elizabeth Butler
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COSTS TO DATE

Project Start Date: 10/16/2009

Original End Date: 01/01/2012

FundingEnd Date: 06/30/2013

Funding Formula:	Requested		Original		Current	
Aquatic Lands Enhancement Acct:	\$0.00	(0%)	\$0.00	(0%)	\$456,780.05	(48%)
Puget Sound Acq. & Restoration:	\$500,000.00	(85%)	\$500,000.00	(85%)	\$500,000.00	(52%)
Sponsor Match:	\$90,000.00	(15%)	\$90,000.00	(15%)	\$0.00	(0%)
Total:	\$590,000.00	(100%)	\$590,000.00	(100%)	\$956,780.05	(100%)

Paid To Date: \$824,585.40 *includes pending billings*

Remaining RCO Funds: \$132,194.65

Advance Balance: \$0.00

Admin Limit: \$0.00

A&E Limit: \$0.00

Match Bank: \$3,762.68

Admin Spent: \$0.00

A&E Spent: \$39,396.96 4.11%

Last Released Billing: 09/11/2012

Pending Billing: Yes

Number of Billings: 4

AMENDMENTS

#	Type	Applied Date	Description
5	Time Extension	09/14/2012	The project period of 10/16/2009 to 09/30/2012 is extended to allow the contracting party until 06/30/2013 to complete the project.
4	Special Conditions Change	07/18/2012	Completion of the earlier project, Qwuloolt Estuary Phase II Design (07-1624), was significantly delayed. In order to facilitate closing the 07-1624 project agreement with submittal of 95% Designs, a special condition for completion of the Qwuloolt Estuary restoration final design deliverables is added to this project agreement.
3	Cost Change	03/07/2012	This PSAR funded project provides the primary source of match for the ALEA funded project No. 06-1604 "Qwuloolt Estuary Restoration and Trail" and is similar in scope and schedule. In order to streamline contracting, this amendment will integrate No. 06-1604 into No. 09-1277 by aligning the scope of work and increasing the agreement amount by \$456,780.05 of unspent ALEA program funds, bringing the project agreement to total \$956,780.05 in funding.
2	Scope Change	01/25/2012	The project scope is changed to remove the levee breach and second year west levee construction, and to add channel restoration with riparian planting.
1	Time Extension	12/06/2011	The project period of 10/16/2009 to 01/01/2012 is extended to allow the contracting party until 09/30/2012 to complete the project.

PROGRESS REPORT QUESTIONS

#	Question	Answer	Answer Description
1 of 4	Are there any significant challenges that might hinder progress or keep you from meeting your project milestones? If so, please tell us about them.	Yes	The project has faced numerous delays beyond the control of the Tulalip Tribes. Challenges include the USACOE real estate certification and review process, USACOE contracting process, delays due to seasonal conditions, and design challenges surrounding City of Marysville requests for changes to stormwater pond elements. An appeal by a neighboring landowner occurred in 2011 and has been ongoing. We believe it will be settled in 2012.
2 of 4	Describe the work accomplished during this reporting period.		During this reporting period the USACOE completed project designs and awarded a contract in September. Construction of interior work elements by the Tribes continued in 2012 and included berm and channel construction. Over 2000 feet of channel and 1500 feet of berm were constructed. Perimeter planting continued. A Tribal business was contracted to prepare and haul levee material. Local shoreline and grading permits were obtained. During the reporting period Tribal staff also continued project coordination and management activities, using grant and Tribal funds. RCO managed funds were not used for these purposes. Tribal staff also completed an easement agreement with the City transferring easements to the Tribes for project construction. The final property purchase was also completed in September.
3 of 4	Do you anticipate any changes to your project? Please describe those changes here.	No	
4 of 4	Tell us about work planned for the next reporting period.		We continue to work on an Interlocal Agreement with the City of Marysville, which will include future maintenance responsibilities and the conveyance of trail easements to the City of Marysville. Delivery of material and construction of the setback levee will commence as will development of final iterations on the stormwater pond.

MILESTONES

Milestone	Target Date	Description	Completed	Delayed	New Target Date	Progress/Reason for Delay
Project Start	10/16/2009		X			
Cultural Resources Complete	10/16/2009	Completed in 2008	X			
Applied for Permits	03/01/2010	Federal permits were submitted in 2009	X			
Progress Report Submitted	03/15/2011		X			
Annual Project Billing	03/15/2011	and at least once per year thereafter	X			
Progress Report Submitted	09/30/2011		X			
Progress Report Submitted	03/16/2012		X			
RFP Complete/Consultant Hired	05/30/2012	was 07/01/2011	X			
Annual Project Billing	07/31/2012		X			
Progress Report Submitted	07/31/2012		X			
Permits Complete	09/21/2012		X			
Bid Awarded/Contractor Hired	09/24/2012		X			
Restoration Started	10/01/2012			X	02/13/2013	The project has been delayed in commencement due to contractor submittal delays to the USACOE; and variable hydrologic conditions on site.
Progress Report Submitted	12/31/2012					
Progress Report Submitted	04/30/2013					
Agreement End Date	06/30/2013					
Final Billing to RCO	06/30/2013					
Final Design to RCO	06/30/2013					
Final Report in PRISM	06/30/2013					
Stewardship Plan to RCO	06/30/2013					
Restoration Complete	06/30/2013					

PERMITS

Type	Applied Date	Received Date	Expiration Date	Permit Number	Comments
Clear & Grade Permit	08/01/2012	10/9/2012		G12-0023 and C	
Cultural Assessment [Section 106]		12/9/2008		120808-24-COE	Survey in 2006 and 2008. Determination of No Historic Properties Affected.
Dredge/Fill Permit [Section 10/404 or 404]	05/28/2010	11/16/2010		NWS-2010-007	
Endangered Species Act Compliance [ESA]		1/12/2009		13410-2009-I-0	USFWS Fish Passage/Habitat Restoration Programmatic, NMFS Section 4(d) Limit Number 8 (Habitat Restoration)
Hydraulics Project Approval [HPA]	08/08/2012	9/5/2012		120658-2	
SEPA	05/28/2010	6/29/2011		PA 10013	
Shoreline Permit	05/28/2010	8/2/2011		PA 10013	This permit was appealed, but permit was upheld 9/13/2011.
Water Quality Certification [Section 401]	12/24/2008	2/4/2009		PI-09-11	Ecology certifies that work complies with CWA and CZMA and State CZMP.

Permit Questions

#	Question	Answer	Answer Description
1 of 3	Any additional mitigation requirements? If so, please describe.	No	
2 of 3	Are there any additional permits required? If so, please describe.	No	
3 of 3	Tell us about your progress with securing your permits or ESA consultation.		All permits needed are in hand.